

AN ORDINANCE

99456

AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH ITW MORTGAGE INVESTMENTS IV, INC. FOR USE BY THE LIBRARY DEPARTMENT OF 5,600 SQUARE FEET OF WAREHOUSE SPACE FOR TEMPORARY STORAGE OF THE HERTZBERG COLLECTION LOCATED AT 995-B ISOM ROAD, ISOM BUSINESS CENTER, LOCATED IN CITY COUNCIL DISTRICT 9, FOR AN ANNUAL TOTAL OF APPROXIMATELY \$39,032.04, FOR THE PERIOD OF AUGUST 1, 2004 TO JULY 31, 2005; AND AUTHORIZING PAYMENT.

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WHEREAS, in May 2003, City Council approved a lease agreement for twelve months with ITW Mortgage Investments IV, Inc. for use the Library Department of 5,600 square feet of warehouse space for temporary storage of the Hertzberg Collection; and

WHEREAS, the lease contained a provision for an option to extend the lease for a 1 year term at a favorable rate; and

WHEREAS, the Witte Museum, as the current owner of the Hertzberg Collection was unable to find alternative storage at a reasonable rate and the library agreed to extend the current lease in order to work in partnership with the Witte in preserving this collection; and

WHEREAS, the Witte Museum has agreed to begin reimbursing the City for the rental expenses effective October 1, 2004: **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:


Section 1. The City Manager or her designee is hereby authorized to execute the First Amendment to Lease Agreement with ITW Mortgage Investments IV, Inc. extending the term of said agreement to July 31, 2005. A copy of said amendment is affixed hereto and incorporated herein for all purposes as Attachment I.

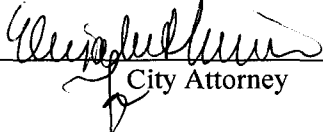
Section 2. Funds in the amount of \$6,505.34 are authorized to be encumbered in Fund 11-000000 (General Fund) and made payable to ITW Mortgage Investments IV, Inc. for the period of August 1, 2004 through September 30, 2004. The remaining rent of \$32,526.70 for the period of October 1, 2004 through July 31, 2005 will be encumbered if appropriated in Fiscal Year 2004-2005 budget.

Section 3. This ordinance shall be effective on and after August 1, 2004.

PASSED AND APPROVED this 22nd day of July, 2004.

ATTEST: 
City Clerk


M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM: 
City Attorney